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RECEIVED

JUN 26 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

June 26, 2002

BY HAND

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

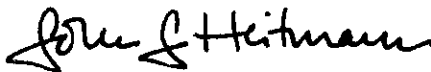
Re: CC Docket No. 96-98

Dear Ms. Dortch:

I have enclosed an original and four copies of the Reply of NuVox, Inc. to BellSouth's Opposition to NuVox's Petition for Declaratory Ruling in CC Docket 96-98, 15 FCC Rcd. 9587 (2000). An extra copy of this Petition has been provided for stamp and return service.

Additional copies of this Reply have been delivered, via e-mail, to Michelle Carey, Jeremy Miller, Julie Veach and Greg Cooke of the Commission's Wireline Competition Bureau.

Respectfully submitted,



John J. Heitmann
Counsel for NuVox, Inc

JJH/cpa
Enclosures

cc: Michelle Carey
Jeremy Miller
Julie Veach
Greg Cooke

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ORIGINAL

Before the
Federal Communications Commission
Washington, DC 20554

RECEIVED

JUN 26 2002

Implementation of the Local Competition)
Provisions of the) CC Docket No. 96-98
Telecommunications Act of 1996)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

REPLY

NuVox, Inc. ("NuVox"), by its attorneys, hereby submits this Reply to BellSouth's June 3, 2002 Opposition to NuVox's May 17, 2002 Petition for a Declaratory Ruling ("Petition") regarding industry-wide issues concerning ILEC audits of circuits converted from special access to EELs and stemming from the Commission's June 2, 2000 *Supplemental Order Clarification*, in the above-referenced proceeding.¹

I. INTRODUCTION AND SUMMARY

In response to NuVox's accusation that BellSouth has harassed it (and other CLECs) with unauthorized EEL conversion audit requests, BellSouth accuses NuVox of delay and jurisdiction shopping. In so doing, BellSouth refuses to acknowledge that NuVox is perfectly within its rights to delay or even deny outright any EEL conversion audit request that **does not comply** with the requirements of the *Supplemental Order Clarification* and the interconnection agreement between it and a particular ILEC and that it needs no FCC filing to do so.

BellSouth also accuses NuVox of trying to get the FCC to interfere with a pending complaint at the Georgia Public Service Commission. Again, BellSouth is off the mark, as NuVox has done no such thing. As BellSouth is within its right to file a complaint against NuVox at a state

¹ *In re Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Supplemental Order Clarification*, 15 FCC Rcd. 9587 (2000) ("*Supplemental Order Clarification*").

commission based on the manner in which the *Supplemental Order Clarification* is incorporated into its interconnection agreement with NuVox, NuVox is within its right to do the same and to petition the FCC for declarations regarding the order that underlies the parties' dispute. During a series of carrier-to-carrier discussions regarding BellSouth's audit notice, BellSouth threatened to file a complaint against NuVox and NuVox threatened to respond with its own FCC filing. That BellSouth struck first lends no legitimacy to its pleading and detracts none from NuVox's.²

Substantively, BellSouth's Opposition to NuVox's Petition is almost entirely devoid of merit. In large part, BellSouth's Opposition to NuVox's Petition is based on the premise that, if the FCC did not explicitly bar certain attempts to undermine its rules, they are permitted and any attempt to block them amounts to a modification of the *Supplemental Order Clarification*. Obviously, that is nonsense and the FCC should affirmatively quash such attempts by BellSouth or any other ILEC to undermine its rules. In so doing, the Commission should affirm that when it determined that audits shall be limited and not routine and conducted only if an ILEC has a concern regarding compliance, it did not mean that an ILEC could simply invent a bogus concern or refuse to explain the concern to the carrier targeted for an audit. Similarly, the Commission should affirm that its independent auditor requirement is satisfied upon proof that no affiliation or bias is present and not merely by a unilateral assertion by the ILEC.

The support BellSouth offers for its proposed attempt to end-run interconnection agreement dispute resolution and audit provisions is also without merit and must be rejected. The Commission should deny BellSouth's and any other ILEC's attempt to pick-and-choose between the

² NuVox filed the Petition with the FCC and an Answer with the Georgia PSC informing the PSC that the issues between the parties arise largely out of an FCC order on which NuVox had filed a Petition for Declaratory Ruling. NuVox asked the PSC to dismiss BellSouth's frivolous complaint or hold it in abeyance. NuVox supplemented its Answer to inform the Georgia PSC that the FCC was actively considering its Petition and had sought comments and replies on it.

Supplemental Order Clarification and its interconnection agreements and should not grant BellSouth's request to excuse noncompliance with selected provisions of either.

BellSouth's arguments in support of its proposal to charge a **second** special access nonrecurring charge on any circuit that is to be converted back to special access as a result of an audit similarly lack merit and must be dismissed. Nonrecurring charges for establishing a circuit do not apply on a recurring basis. If a billing change is required, the same nonrecurring conversion charge that applied to the initial conversion should apply to the next.

II. BELLSOUTH'S ATTEMPT TO UNDERMINE REQUIREMENTS SET FORTH IN THE *SUPPLEMENTAL ORDER CLARIFICATION* SHOULD BE QUASHED

In its Opposition, BellSouth attempts to transform an ILEC's limited right to audit circuits converted from special access to EELs into one that it is virtually unlimited and beyond challenge by the carrier targeted by the audit request. True to form, BellSouth weaves back and forth between selected provisions of the *Supplemental Order Clarification* and the parties' interconnection agreement in an ill-fated effort to lend legitimacy to its request to audit NuVox's converted EELs. BellSouth leads with the assertion that "NuVox conveniently omits the fact that BellSouth has sought to conduct the audit in conformance with an approved interconnection agreement". Opposition ¶ 2. Yet, BellSouth cites only the Commission's *Supplemental Order Clarification* in its Notice. That Notice is attached hereto as **Attachment A**. Only upon attempting to wriggle-out of requirements set forth in the *Supplemental Order Clarification*, did BellSouth look to the parties' interconnection agreement. It is NuVox's position that compliance with both is required. Thus, contrary to BellSouth's contention that NuVox "requests the Commission to create a new set of conditions to limit an ILEC's right to audit a CLEC's conversion of special access circuits to EELs", NuVox simply is asking the Commission to affirm those that **already exist** by rejecting

ILEC attempts to undo the limitations established by the Commission in its order and subsequently implemented by carriers in their interconnection agreements.

Grant of the NuVox petition would not, as BellSouth asserts, “render the ILECs [sic] right to conduct an audit meaningless”, it simply would end ILEC attempts to **expand** upon the limited right established in the *Supplemental Order Clarification* and undo the balance of considerations adopted by the Commission therein. Like many other CLECs, NuVox has denied an EEL audit request from BellSouth simply because the request does not comply with the requirements set forth in the *Supplemental Order Clarification* and its interconnection agreement with BellSouth. BellSouth refuses to hire a truly independent auditor and has failed to identify any concern rationally related to compliance with the safe harbors set forth in the *Supplemental Order Clarification*. Moreover, in its audit requests, BellSouth attempts to unilaterally bypass negotiated and state commission approved interconnection agreement language governing such audits and proposes to extract additional monopoly rents – in the form of special access nonrecurring charges – if noncompliance is found.

A. Neither BellSouth Nor Any Other ILEC Should Be Permitted to Fabricate a Concern Regarding Compliance with the Safe Harbors

Rather than simply noticing an audit that complies with the Commission’s *Supplemental Order Clarification* and the parties’ interconnection agreement, BellSouth essentially dismisses the FCC’s directive that audits shall not be routine and shall be conducted only when there is a concern regarding compliance. *Supplemental Order Clarification* ¶ 31, n. 86. To be sure, BellSouth has halted its stream of EEL audit notices since NuVox filed its petition. However, its

string of no less than thirteen such requests in two months³ underscores that BellSouth had ignored the FCC's directive previously. Furthermore, BellSouth's current willingness to "cease" has not been coupled with a willingness to "desist".

BellSouth acknowledges that the FCC has found that audits shall not be routine and requires an ILEC to have a concern that the CLEC is not meeting one of the three safe harbors. Opposition ¶ 4. Yet, BellSouth does not even attempt to defend the bogus concern it invented and eventually communicated to NuVox (after NuVox rejected BellSouth's demands that it be kept secret) regarding its audit request.⁴ BellSouth's Opposition blandly states that "BellSouth has concerns". Opposition ¶ 4. BellSouth also alleges that an ILEC "does not need to explain its concerns" to the CLEC. *Id.* ¶ 7. NuVox submits that this must be wrong. If it is not, any ILEC could follow BellSouth's lead and fabricate a concern to support an audit request designed to be little more than a harassing witch and revenue hunt.

Presumably, BellSouth's contention that it need not explain its concern is based on the fact that the Commission in requiring ILECs to have a "concern" regarding compliance before noticing an audit did not explicitly say "and such concern shall be explained to the CLEC". Surely, the Commission did not mean that the ILEC must have a concern but need not share it. Prior to

³ See *BellSouth Ex Parte*, CC Docket 96-98, June 20, 2002 (listing 13 carriers targeted for audits); see also *BellSouth Ex Parte*, CC Docket 96-98 June 24, 2002 (including a June 21, 2002 written *ex parte* indicating that the number of audits under way is "approximately 15"). Notably, BellSouth's assertion on page 2 of the June 21, 2002 written *ex parte* that "There are no specific plans to audit specific carriers or a specific number of carriers" is inconsistent with remarks made by BellSouth management to NuVox management. Notably unsubstantiated is BellSouth's assertion – also on page 2 of the June 21, 2002 written *ex parte* that "Audits are only conducted when a concern is raised by pre-specified criteria". During two months of carrier-to-carrier conference calls and e-mails between BellSouth and NuVox on this issue, BellSouth never once alluded to "pre-specified" criteria regarding a concern that triggers an audit request.

⁴ BellSouth had alleged that its concern was that it had conducted statewide traffic studies in Tennessee and Florida that suggested a high amount of intraLATA calling. It disclosed that its traffic study did not specifically address EELs or traffic in Georgia or other states where BellSouth had requested an EEL audit.

filing its Opposition, even BellSouth admitted that it had an obligation to identify a concern and explain it to the targeted CLEC. Because BellSouth and other ILECs are so prone to create loopholes where none exist or appear to have been intended, the declaration NuVox requests is necessary.

Perhaps recognizing that “BellSouth has concerns” and BellSouth “does not need to explain its concerns” do not add up to a compelling argument, BellSouth goes a step further (with no more success). BellSouth miraculously asserts that NuVox’s contention that such a concern must be “bona fide” and “legitimately related” amounts to a regulatory Catch-22. Opposition ¶ 9. That, too, is nonsense. Indeed, BellSouth would have this Commission gut the plain language of its order by allowing it and any other ILEC to simply fabricate a concern (as BellSouth has done) or provide one entirely unrelated to compliance with the safe harbors (as BellSouth has done). When the Commission adopted language requiring the ILEC to identify a concern, surely it did not mean a concern that was **not** “bona fide” or “legitimately related” to compliance with the safe harbors.

BellSouth’s assertion that it must first conduct an audit to generate a legitimate concern fails for the same reason. The Commission surely did not impose a requirement that it did not think could be met and it did not create a Catch 22 for the ILECs with respect to their limited right to conduct audits of circuits converted from special access to EELs. Obviously, both BellSouth (when it signed onto the *ex parte* referenced in note 86) and the Commission believed that there is sufficient information at an ILEC’s disposal that could lead to the formation of a concern that is both bona fide and legitimately related to compliance with the Commission’s safe harbors.

In sum, the arguments presented by BellSouth with respect to the Commission’s determination that audits will not be routine and shall be conducted only when an ILEC has a “concern” regarding compliance demonstrate that the declarations NuVox seeks are necessary to

quash ILEC gamesmanship and anticompetitive attempts to harass CLECs with resource-consuming audits.

B. BellSouth's Selected Auditor Is Beholden to a Nearly All ILEC Client Base and, as such, Is Inherently Biased and Not Truly Independent

In its Opposition, BellSouth continues to assert that the auditor it has selected is independent – simply because BellSouth says so. Opposition ¶ 8. Although BellSouth recognizes its obligation to hire an independent auditor to conduct the audit, BellSouth insists that its assertion of independence should be enough. *Id.* No CLEC should be forced to accept an ILEC's unilateral pronouncement regarding the independence of an auditor. Because BellSouth insists that its unilateral pronouncement is sufficient (and other ILECs are certain to follow suit), the Commission needs to foreclose this attempt at undermining its rules.

In support of its claim, BellSouth supplies information regarding its selected auditor delivered to BellSouth **after** NuVox filed its Petition. Opposition at Attachment 2. Even this information shows that the selected auditor has performed consulting services for 10 large independent ILECs, 5 RBOCs, and 5 small ILECs – **and no CLECs, no CAPs and no IXC**s. The package of information also includes a list of engagements studded with successful revenue hunts for ILECs.

What BellSouth does not share with the Commission – and has refused to share with other CLECs – is the proposal prepared by ACA for BellSouth and BellSouth's acceptance of it. As NuVox asserted in its Petition, ACA's written proposal touts "highly successful" audits from which its "LEC clients have recovered millions of dollars". **Attachment B**, Feb. 20, 2002 Letter to S. Walls (BST) from L. Fowler (ACA). Those documents and additional promotional material not disclosed by BellSouth that demonstrate that ACA's principals have spent significant parts (if not

all) of their carriers in the employ of ILECs are attached hereto as **Attachment B**. The materials supplied by ACA also demonstrate that its client base is comprised almost entirely of ILECs.

Having little to say in support of its assertion of independence, BellSouth focuses instead on the “experience” of the auditor and contends that the “experience” of the auditor will make for an efficient audit. Opposition ¶ 8. What BellSouth fails to disclose is that the selected auditor’s experience is almost exclusively in conducting “highly successful” PIU audits for its large base of ILEC clients. Moreover, contrary to BellSouth’s assertion, the selected auditor, as of a March 23, 2002 call with NuVox (**after** ACA already had been retained by BellSouth), had no actual experience auditing compliance with the local usage requirements for EEL conversions (although it had been retained by BellSouth and one other ILEC to do so). Thus, the “experience” BellSouth touts does not suggest efficiency but rather an inherent bias that would be difficult to overcome.

C. The Commission Should Reject BellSouth’s Request to Trump State-Commission Approved Interconnection Agreement Provisions

Miraculously, BellSouth attaches negotiated and state commission approved interconnection agreement language that **requires** state commission review prior to conversion of any circuits from EELs back to special access and asks the FCC to trump that contract language. Opposition at Attachment B. Section 10.5.4 of Attachment 2 to the NuVox/BellSouth nine-state interconnection agreement provides:

10.5.4 BellSouth may, at its sole expense, and upon thirty (30) days notice to TCI, audit TCIs records not more than one in any twelve month period, unless an audit finds non-compliance with the local usage options referenced in the June 2, 2000 Order, in order to verify the type of traffic being transmitted over combinations of loop and transport network elements. **If, based on its audits, BellSouth concludes that TCI is not providing a significant amount of local exchange traffic over the combinations of loop and transport network elements, BellSouth may file a complaint with the appropriate**

Commission, pursuant to the dispute resolution process as set forth in this Agreement. In the event that BellSouth prevails, BellSouth may convert such combinations of loop and transport network elements to special access services and may seek appropriate retroactive reimbursement from TCI.⁵

Thus, the NuVox/BellSouth interconnection agreement explicitly builds-in state commission review **prior** to any re-conversion of circuits deemed noncompliant back to special access. Even if the agreement did not include such an explicit right of review, this agreement and virtually all others include dispute resolution provisions that afford parties the right to take such disputes to a state commission. Given that EELs are provisioned pursuant to interconnection agreements, any BellSouth action regarding them (including re-conversion) would be subject to the dispute resolution provisions contained therein. The Commission should flatly reject BellSouth's efforts to undo its negotiated and state commission approved interconnection agreement language with NuVox and other carriers.⁶

D. The Commission Should Bar BellSouth's Planned Imposition of a Second Special Access NRC on Circuits Deemed Noncompliant

BellSouth raises a spurious section 203 argument in support of its proposal to charge NuVox and other CLECs a second tariffed special access nonrecurring charge for circuits found noncompliant and designated for conversion back to special access. Opposition ¶ 12. BellSouth's argument is that it must charge a second NRC to CLECs because section 203 bars it from affording CLECs any "special treatment" or exemption from tariffed charges. BellSouth apparently forgets that it already has charged and collected special access NRCs for these circuits. Charging special access NRCs a second time would violate the tariff as well as section 201.

⁵ (Emphasis added.) TCI is NuVox's predecessor, TriVergent Communications, Inc.

⁶ NuVox was among the first to negotiate such language with BellSouth and the language contained therein has been incorporated into numerous other agreements. NuVox's agreement also has been widely opted-into, further spreading the reach of this provision.

Moreover, BellSouth appears to base its argument on a false premise that already has been rejected by the Commission. Just as is the case with the conversion of special access to EELs, the conversion of EELs to special access is nothing more than a billing/administrative change. See *Supplemental Order Clarification*, ¶ 30. There is no physical change in the circuit or the information provided to the ILEC by the CLEC. The only difference between an EEL and a special access circuit is the rate at which the CLEC is charged for its use. Therefore, no additional labor is necessary beyond changing the price for the circuit and identifying it as special access.

Accordingly, BellSouth's arguments in support of its proposal to charge a *second* special access nonrecurring charge on any circuit that is to be converted back to special access as a result of an audit lack merit and must be dismissed. Nonrecurring charges for establishing a circuit do not apply on a recurring basis. If a billing/administrative record change is required, the same nonrecurring conversion charge that applied to the initial conversion should apply to the next.

E. BellSouth's Opposition Underscores the Need for a Declaratory Ruling on Shifting the Costs of an Audit

With respect to payment for the costs of the audit, BellSouth again asks the Commission to upend negotiated state commission approved interconnection agreement language and NuVox's alternative proposal that costs be assessed in proportion to the degree of noncompliance found. Opposition, ¶ 13. BellSouth now appears to contend that discovery of a single noncompliant circuit could shift the costs of the entire audit onto a CLEC.⁷ Given the complexity of circuit identification and the Commission's safe harbors (which have the effect of

⁷ Notably, BellSouth had not previously taken such an extreme position. In its Notice (**Attachment A**) BellSouth claimed that a 20% non-compliance threshold upon which the costs of the audit would be shifted was consistent with the *Supplemental Order Clarification*. NuVox subsequently indicated that it would agree to that proposal as part of a negotiated settlement of the parties' dispute over BellSouth's audit request. BellSouth, however, offered no compromise in return and the parties were not able to negotiate settlement of their dispute.

restricting how end users may use their service), BellSouth's assertion is patently unreasonable. Accordingly, the Commission should reject BellSouth's contention and affirm its decision to defer to audit provisions contained in the parties' interconnection agreements. *Supplemental Order Clarification* ¶ 32. In the absence of such provisions, the Commission should declare NuVox's proposed pro-rata assessment reasonable.

III. CONCLUSION

Consistent with the foregoing, the Commission should grant NuVox's Petition and affirmatively reject positions set forth by BellSouth in its Opposition in accordance with the discussion contained herein.

Respectfully submitted,

NUVOX, INC.



Brad E. Mutschelknaus

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Its Attorneys

Dated: June 26, 2002

ATTACHMENT A

BellSouth Telecommunications
Interconnection Services
675 W. Peachtree Street, NE
Room 34S91
Atlanta, GA 30075

Jerry D. Hendrix
Executive Director

(404) 927-7503
Fax (404) 529-7839
e-mail: jerry.hendrix@bellsouth.com

March 15, 2002

VIA ELECTRONIC AND OVERNIGHT MAIL

Hamilton E. Russell, III
Regional Vice President – Legal and Regulatory Affairs
NuVox Communications, Inc.
Suite 500
301 North Main Street
Greenville, SC 29601

Dear Mr. Russell:

NuVox has requested BellSouth to convert numerous special access circuits to Unbundled Network Elements (UNEs). Pursuant to those request, BellSouth has converted many of those circuits in accordance with BellSouth procedures. Some of the circuits were not converted due to various reasons, (e.g., previously disconnected, duplicates, etc.).

Consistent with the FCC Supplemental Order Clarification, Docket No. 96-98, BellSouth has selected an independent third party, American Consultants Alliance (ACA), to conduct an audit. The purpose of this audit is to verify NuVox's local usage certification and compliance with the significant local usage requirements of the FCC Supplemental Order.

In the Supplemental Order Clarification, Docket No. 96-98 adopted May 19, 2000 and released June 2, 2000 ("Supplemental Order"), the FCC stated:

"We clarify that incumbent local exchange carriers (LECs) must allow requesting carriers to self-certify that they are providing a significant amount of local exchange service over combinations of unbundled network elements, and we allow incumbent LECs to subsequently conduct limited audits by an independent third party to verify the carrier's compliance with the significant local usage requirements."

Accompanying this letter, please find a Confidentiality and Non-Disclosure Agreement on proprietary information and Attachment A, which provides a list of the information ACA needs from NuVox.

NuVox is required to maintain appropriate records to support local usage and self-certification. ACA will audit NuVox's supporting records to determine compliance of

each circuit converted with the significant local usage requirements of the Supplemental Order.

In order to minimize disruption of NuVox's daily operations and conduct an efficient audit, ACA has assigned senior auditors who have expertise in auditing, special access circuit records and the associated facilities, minutes of use traffic studies, CDR records recorded at the switch for use in billing, and Unbundled Network Elements.

BellSouth will pay for American Consultants Alliance to perform the audit. In accordance with the Supplemental Order, NuVox is required to reimburse BellSouth for the audit if the audit uncovers non-compliance with the local usage options on 20% or more of the circuits audited. This is consistent with established industry practice for jurisdictional report audits. Circuits found to be non-compliant with the certification provided by NuVox will be converted back to special access services and will be subject to the applicable non-recurring charges for those services. BellSouth will seek reimbursement for the difference between the UNE charges paid for those circuits since they were converted and the special access charges that should have applied.

Per the Supplemental Order, BellSouth is providing at least 30 days written notice that we desire the audit to commence on April 15 at NuVox's office in Greenville, SC, or another NuVox location as agreed to by both parties. Our experience in other audits has indicated that it typically takes two weeks to complete the review. Thus, we request that NuVox plan for ACA to be on-site for two weeks. Our audit team will consist of three auditors and an ACA partner in charge.

NuVox will need to supply conference room arrangements at your facility. Our auditors will also need the capability to read your supporting data, however you choose to provide it (file on PC, listing on a printout, etc.). It is desirable to have a pre-audit conference next week with your lead representative. Please have your representative call Shelley Walls at (404) 927-7511 to schedule a suitable time for the pre-audit planning call.

BellSouth has forwarded a copy of this notice to the FCC, as required in the Supplemental Order. This allows the FCC to monitor implementation of the interim requirements for the provision of unbundled loop-transport combinations.

If you have any questions regarding the audit, please contact Shelley Walls at (404) 927-7511. Thank you for your cooperation.

Sincerely,

Jerry D. Hendrix
Executive Director

Enclosures

cc: Michelle Carey, FCC (via electronic mail)
Jodie Donovan-May, FCC (via electronic mail)

Larry Fowler, ACA (via electronic mail)
John Heitmann, Kelley Drye & Warren LLP (via electronic mail)
Tony Nelson, NuVox (via electronic mail)
Jim Schenk, BellSouth (via electronic mail)

ATTACHMENT A

NuVox
March 15, 2002

Audit to Determine the Compliance Of Circuits Converted by NuVox From BellSouth's Special Access Tariff to Unbundled Network Elements With The FCC Supplemental Order Clarification, Docket No. 96-98

Information to be Available On-site April 15

Prior to the audit, ACA or BellSouth will provide NuVox the circuit records as recorded by BellSouth for the circuits requested by NuVox that have been converted from BellSouth's special access services to unbundled network elements. These records will include the option under which NuVox self-certified that each circuit was providing a significant amount of local exchange service to a particular customer, in accordance with the FCC's Supplemental Order Clarification.

Please provide:

NuVox's supporting records to determine compliance of each circuit converted with the significant local usage requirements of the Supplemental Order Clarification.

First Option: NuVox is the end user's only local service provider.

- ☐ Please provide a Letter of Agency or other similar document signed by the end user, or
- ☐ Please provide other written documentation for support that NuVox is the end user's only local service provider.

Second Option: NuVox provides local exchange and exchange access service to the end user customer's premises but is not the exclusive provider of an end user's local exchange service.

- ☐ Please provide the total traffic and the local traffic separately identified and measured as a percent of total end user customer local dial tone lines.
- ☐ For DS1 circuits and above please provide total traffic and the local voice traffic separately identified individually on each of the activated channels on the loop portion of the loop-transport combination.
- ☐ Please provide the total traffic and the local voice traffic separately identified on the entire loop facility.
- ☐ When a loop-transport combination includes multiplexing (e.g., DS1 multiplexed to DS3 level), please provide the above total traffic and the local voice traffic separately identified for each individual DS1 circuit.

Third Option: NuVox provides local exchange and exchange access service to the end user customer's premises but is not the exclusive provider of an end user's local exchange service.

- ☐ Please provide the number of activated channels on a circuit that provide originating and terminating local dial tone service.
- ☐ Please provide the total traffic and the local voice traffic separately identified on each of these local dial tone channels.

ATTACHMENT A

NuVox

March 15, 2002

- ☐ Please provide the total traffic and the local voice traffic separately identified for the entire loop facility.
- ☐ When a loop-transport combination includes multiplexing (e.g., DS1 multiplexed to DS3 level), please provide the above total traffic and the local voice traffic separately identified for each individual DS1 circuit.

Depending on which one of the three circumstances NuVox chose for self certification, other supporting information may be required.

ATTACHMENT B

DUPLICATE



BellSouth Telecommunications
Interconnection Services
675 W. Peachtree Street, NE
Room 34S91
Atlanta, GA 30075

Shelley P. Walls
Manager - Regulatory Policy Support

(404) 927-7511
Fax (404) 529-7839
e-mail: shelly.walls@bellsouth.com

March 27, 2002

VIA OVERNIGHT MAIL

Hamilton E. Russell, III
Regional Vice President - Legal and Regulatory Affairs
NuVox Communications, Inc.
Suite 500
301 North Main Street
Greenville, SC 29601

Dear Mr. Russell:

As we discussed Monday, enclosed is some information from American Consultants Alliance regarding their experience in this field.

If you have any questions regarding the audit, please contact me at (404) 927-7511.
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Shelley P. Walls".

Shelley P. Walls
Manager - Regulatory Policy Support

Enclosures

cc: John Heitmann, Kelley Drye & Warren LLP